

1 Maurice VerStandig, Esq.  
2 Nevada Bar No.: 15346  
3 THE VERSTANDIG LAW FIRM, LLC  
4 1452 W. Horizon Ridge Pkwy, #665  
5 Henderson, Nevada 89012  
6 Telephone: (301)444-4600  
7 Facsimile: (301)444-4600  
8 Email: mac@mbvesq.com  
9 *Counsel for Ms. Ball, Mr.*  
10 *Prignano and Jane Roe*

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 ALYSSA BALL,

10 JOHN PRIGNANO,

11 and

12 JANE ROE,

13 Plaintiffs,

14 v.

15 SKILLZ INC.,

16 Defendant.

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Case No. 2:20-cv-888 -JAD-BNW

18 **MOTION FOR LEAVE TO FILE SUPPLEMENTAL**  
19 **CERTIFICATE OF INTERESTED PARTIES UNDER SEAL**

20 Come now Alyssa Ball (“Ms. Ball”), John Prignano (“Mr. Prignano”), and Jane Roe  
21 (collectively, the “Plaintiffs”), by and through undersigned counsel, pursuant to Local Rule IA  
22 10-5(a), and move this Honorable Court to permit them leave to file a supplemental certificate of  
23 interested parties (the “Supplemental Certificate”) under seal, and in support thereof state as  
24 follows:  
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## **I. Introduction**

As noted more expansively in a motion for leave to proceed under fictitious name being filed herewith (the “Fictitious Name Motion”), Jane Roe is joining the above-captioned litigation as a co-plaintiff. In the amended pleading in which she enters this case (also being filed herewith), Jane Roe makes allegations related to her own compulsive gambling, the impact of that gambling on her mental health, suicidal inclinations she experienced, and related harms she has suffered of a deeply personal nature. These allegations stand in marked contrast to those of Ms. Ball and Mr. Prignano, whose names were openly disclosed at the time of this case’s commencement and whose claims herein largely concern being allegedly cheated by Skillz, Inc. (the “Defendant”) and having their monies seized by the Defendant.

The Plaintiffs are required to file a supplemental certificate of interested parties indicating Jane Roe’s interest in these proceedings. *See* Local Rule 7.1-1(c). Doing so will require revelation of her true name which, if made public, will serve to obviate her efforts to proceed herein under a fictitious name. As such, and as extrapolated upon below, the Plaintiffs seek leave to make this filing under seal.

## **II. Argument: Filing Under Seal is Warranted**

Allowing Jane Roe to file the Supplemental Certificate under seal will permit the subject filing to serve its express purpose while also ensuring Jane Roe’s identity remain private pending adjudication of the Fictitious Name Motion. The Amended Certificate is not an adversarial filing, does not speak to any matter of public interest, and serves only as a mechanism to allow the judges of this Honorable Court to assess this matter for potential recusal. This mechanism will remain fully intact even if the filing is made under seal.

1 The Local Rules of this Honorable Court are express that certificates of interested parties  
2 “are made to enable judges of the court to evaluate possible disqualifications or recusal.” Local  
3 Rule 7.1-1(a).

4 Jane Doe does not seek to mask her name from this Honorable Court. To the contrary,  
5 she is filing alongside this motion the Supplemental Certificate which states her real name so as  
6 to ensure the “judges of the court” are able “to evaluate possible disqualification or recusal.”  
7 Her identity is also being disclosed to the Defendant, through its counsel of record.  
8

9 Rather, Jane Roe seeks to shield her name from the public in light of the immensely  
10 personal, perceptively embarrassing narrative that underlies her case. Her recitation of damages  
11 in the amended complaint includes references to personal addiction, the incursion of debt to  
12 feed that addiction, combatting suicidal inclinations, seeking help from a support group,  
13 receiving professional mental health assistance, being prescribed medications as part of that  
14 professional course of treatment, and related deeply sensitive matters.  
15

16 As noted in the Fictitious Name Motion, the use of pseudonyms is permitted “to protect  
17 a person from... personal embarrassment” and “to preserve privacy in a matter of sensitive and  
18 highly personal nature...” *Does I thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1067–68  
19 (9th Cir. 2000) (quoting *United States v. Doe*, 655 F.2d 920, 922 n. 1 (9th Cir. 1981); citing *Doe*  
20 *v. Madison School Dist. No. 321*, 147 F.3d 832, 834 n. 1 (9th Cir. 1998)).  
21

22 If Jane Roe is going to proceed under a pseudonym herein, as urged in the Fictitious  
23 Name Motion, it is necessary for her Supplemental Certificate to be filed under seal or the  
24 whole purpose of a fictitious name will be defeated. Accordingly, in light of the purposes  
25 underlying the filing of certificates of interested parties, and the law governing the use of  
26 fictitious names, she respectfully asks that the Supplemental Certificate be sealed.

1       **III. Conclusion**

2               WHEREFORE, Alyssa Ball, John Prignano, and Jane Roe respectfully pray this  
3 Honorable Court (i) permit them to file the Supplemental Certificate under seal, and (ii) afford  
4 such other and further relief as may be just and proper.  
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6                               Respectfully submitted,

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8                               /s/ Maurice B. VerStandig  
Maurice B. VerStandig, Esq.  
9 Bar No. 15346  
The VerStandig Law Firm, LLC  
10 1452 W. Horizon Ridge Pkwy, #665  
Henderson, Nevada 89012  
11 Telephone: 301-444-4600  
12 Facsimile: 301-444-4600  
Electronic Mail: mac@mbvesq.com  
13 *Counsel for the Plaintiffs*

14                               **CERTIFICATE OF SERVICE**

15               I certify that on this 20<sup>th</sup> day of July, 2020, I have caused a true and accurate copy of the  
16 foregoing to be served on the following person via this Honorable Court's CM/ECF system:  
17

18 E. Leif Reid, Esq.  
Lewis Roca Rothgerber Christie LLP  
19 One East Liberty Street, Suite 300  
Reno, Nevada 89501-2128  
20 lreid@lrrc.com  
21 *Counsel for the Defendant*

22                               /s/ Maurice B. VerStandig  
23 Maurice B. VerStandig  
24  
25  
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